

111TH CONGRESS  
1ST SESSION

# H. R. 192

To authorize various land conveyances involving National Forest System lands and Bureau of Land Management lands in central Idaho to promote economic development and recreational activities in the area, to add certain National Forest System lands and Bureau of Land Management lands in central Idaho to the National Wilderness Preservation System, to provide special management requirements for certain National Forest System lands and Bureau of Land Management lands in central Idaho, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 2009

Mr. SIMPSON (for himself and Mr. MINNICK) introduced the following bill;  
which was referred to the Committee on Natural Resources

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## A BILL

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1        *Be it enacted by the Senate and House of Representa-*  
 2        *tives of the United States of America in Congress assembled,*

3        **SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.**

4        (a) SHORT TITLE.—This Act may be cited as the  
 5        “Central Idaho National Forest and Public Land Manage-  
 6        ment Act”.

7        (b) TABLE OF CONTENTS.—The table of contents for  
 8        this Act is as follows:

Sec. 1. Short title and table of contents.

**TITLE I—CENTRAL IDAHO ECONOMIC DEVELOPMENT AND  
RECREATION PROMOTION**

Sec. 101. Land conveyance, designated Sawtooth National Forest and BLM  
land to Blaine County, Idaho.

Sec. 102. Land conveyance, designated National Forest System land to City of  
Stanley, Idaho.

Sec. 103. Land conveyance, designated BLM land to City of Clayton, Idaho.

Sec. 104. Land conveyance, designated BLM land to City of Mackay, Idaho.

Sec. 105. Land conveyance, designated BLM land to City of Challis, Idaho.

Sec. 106. Land conveyance, designated BLM land to Custer County, Idaho.

Sec. 107. Land conveyance authority, support for motorized and bicycle recre-  
ation, public land in Idaho.

Sec. 108. Treatment of existing roads and trails.

Sec. 109. Stanley-Redfish Lake bike and snowmobile trail and related parking  
lot.

Sec. 110. Support for outfitter and guide activities.

Sec. 111. Grants to support sustainable economic development and recreation.

**TITLE II—CENTRAL IDAHO WILDERNESS AREAS**

Sec. 201. Additions to National Wilderness Preservation System.

Sec. 202. General administration of wilderness areas.

Sec. 203. Acquisition of mineral interests and lands from willing sellers.

Sec. 204. Adjacent management.

Sec. 205. Water rights.

Sec. 206. Wildlife management.

Sec. 207. Native American cultural and religious uses.

Sec. 208. Military overflights.

Sec. 209. Wilderness review.

**TITLE III—GENERAL PROVISIONS**

Sec. 301. Management of non-wilderness lands in Challis and Sawtooth Na-  
tional Forests, Sawtooth National Recreation Area, and Challis  
Bureau Of Land Management District.

Sec. 302. Big Wood Backcountry Trail system study and authorization.

Sec. 303. Support and use of Idaho Off Road Motor Vehicle Program.  
 Sec. 304. Management of Railroad Ridge area, Sawtooth National Forest.  
 Sec. 305. Livestock grazing.  
 Sec. 306. Land acquisition authority.

# **1 TITLE I—CENTRAL IDAHO ECO- 2 NOMIC DEVELOPMENT AND 3 RECREATION PROMOTION**

## **4 SEC. 101. LAND CONVEYANCE, DESIGNATED SAWTOOTH NA- 5 TIONAL FOREST AND BLM LAND TO BLAINE 6 COUNTY, IDAHO.**

7 (a) CONVEYANCE REQUIRED.—The Secretary of Ag-  
 8 riculture, acting through the Chief of the Forest Service,  
 9 and the Secretary of the Interior, acting through the Di-  
 10 rector of the Bureau of Land Management, shall convey,  
 11 without consideration, to Blaine County, Idaho (in this  
 12 section referred to as the “County”), all right, title, and  
 13 interest of the United States in and to the parcels of Fed-  
 14 eral land in the Sawtooth National Forest and Sawtooth  
 15 National Recreation Area and Bureau of Land Manage-  
 16 ment land identified for conveyance under this section on  
 17 the following maps:

18 (1) A map entitled “Blaine County Conveyance-  
 19 Smiley Creek” and dated October 1, 2006.

20 (2) A map entitled “Blaine County Conveyance-  
 21 Sawtooth City Well” and dated October 1, 2006.

22 (3) A map entitled “Blaine County Conveyance-  
 23 Eagle Creek” and dated October 1, 2006.

1           (4) A map entitled “Blaine County Convey-  
 2           ances, Map #1” and dated September 13, 2006, ex-  
 3           cept that the conveyance is limited to the parcels A,  
 4           B, and C depicted on that map.

5           (5) A map entitled “Blaine County Convey-  
 6           ances, Map #2” and dated April 23, 2008, except  
 7           that the conveyance is limited to the parcels A, B,  
 8           and C depicted on that map.

9           (b) SURVEY.—The exact acreage and legal descrip-  
 10          tion of the land to be conveyed under subsection (a) shall  
 11          be determined by a survey satisfactory to the Secretary  
 12          concerned. The cost of the survey shall be borne by the  
 13          Secretary concerned.

14          (c) ADDITIONAL TERM AND CONDITIONS.—The Sec-  
 15          retary concerned may require such additional terms and  
 16          conditions in connection with the conveyance under sub-  
 17          section (a) as the Secretary considers appropriate to pro-  
 18          tect the interests of the United States.

19       **SEC. 102. LAND CONVEYANCE, DESIGNATED NATIONAL**  
 20                               **FOREST SYSTEM LAND TO CITY OF STANLEY,**  
 21                               **IDAHO.**

22          (a) CONVEYANCE REQUIRED.—The Secretary of Ag-  
 23          riculture, acting through the Chief of the Forest Service,  
 24          shall convey to the City of Stanley, Idaho (in this section  
 25          referred to as the “City”), all right, title, and interest of

1 the United States in and to National Forest System land  
2 consisting of a parcel containing a total of approximately  
3 68 acres, including roads and improvements, adjoining the  
4 northeastern boundary of the City, respectively, and identified as Parcel C on the map entitled “Custer County and  
5 City of Stanley Conveyances” and dated October 1, 2006.

6  
7 (b) AUTHORIZED USES.—Parcel C may be used—

8 (1) to provide housing for persons working  
9 within the Sawtooth National Recreation Area and  
10 public employees; and

11 (2) for other public purposes, including use as  
12 the site for a park, cemetery, community center, or  
13 educational facility

14 (c) SURVEY AND LEGAL DESCRIPTION.—The exact  
15 acreage and legal description of the land to be conveyed  
16 under subsection (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey shall be  
17 borne by the Secretary. The legal description shall be prepared as soon as practicable after the date of the enactment of this Act.

21 (d) CONSERVATION EASEMENT AND RIGHTS-OF-  
22 WAY.—In making the conveyance under subsection (a),  
23 the Secretary shall reserve to the United States a conservation easement and rights-of-way for the parcel of  
24

1 land identified as Parcel C on the map referred to in sub-  
2 section (a).

3 (e) ENFORCEMENT.—The Secretary of Agriculture  
4 shall have the authority to enforce the terms and condi-  
5 tions set forth in the conservation easements reserved  
6 under subsection (d) and to ensure that public access is  
7 maintained on the rights-of-way reserved under such sub-  
8 section. This authority is in addition to such other enforce-  
9 ment authority as may be provided in the conservation  
10 easements and rights-of-way.

11 (f) REVERSIONARY INTEREST.—If the Secretary de-  
12 termines at any time that the City or any subsequent  
13 owner of any portion of land conveyed under subsection  
14 (a) is acting in violation of the conditions set forth in the  
15 applicable conservation easement or rights-of-way reserved  
16 under subsection (d) and has failed to restore the property  
17 so as to comply with such conditions within a reasonable  
18 time, all right, title, and interest in and to the portion  
19 of the land on which the violation occurred, including any  
20 improvements thereon, shall revert to the United States.  
21 Any determination of the Secretary under this subsection  
22 shall be made on the record after an opportunity for a  
23 hearing.

24 (g) ADDITIONAL TERM AND CONDITIONS.—The Sec-  
25 retary may require such additional terms and conditions

1 in connection with the conveyance under subsection (a) as  
2 the Secretary considers appropriate to protect the inter-  
3 ests of the United States.

4 **SEC. 103. LAND CONVEYANCE, DESIGNATED BLM LAND TO**  
5 **CITY OF CLAYTON, IDAHO.**

6 (a) CONVEYANCE REQUIRED.—The Secretary of the  
7 Interior, acting through the Director of the Bureau of  
8 Land Management, shall convey, without consideration, to  
9 the City of Clayton, Idaho (in this section referred to as  
10 the “City”), all right, title, and interest of the United  
11 States in and to parcels of Bureau of Land Management  
12 land, including roads thereon, identified as parcels A, B,  
13 C, and D on the map entitled “City of Clayton Convey-  
14 ances” and dated September 13, 2006.

15 (b) AUTHORIZED USES.—The land to be conveyed  
16 under subsection (a) may be used only for public purposes.

17 (c) SURVEY.—The exact acreage and legal descrip-  
18 tion of the land to be conveyed under subsection (a) shall  
19 be determined by a survey satisfactory to the Secretary.  
20 The cost of the survey shall be borne by the Secretary.

21 (d) ROAD ACCESS.—In making the conveyance under  
22 subsection (a) to the City, the Secretary shall include a  
23 deed restriction requiring that the roads referred to in  
24 such subsection shall remain open to the public to provide  
25 access to adjacent Federal land and private property.

1 (e) RIGHT-OF-WAY.—The Secretary shall grant,  
 2 without consideration, to the City a 25-foot right-of-way  
 3 connecting parcels C and D referred to in subsection (a)  
 4 and crossing the Salmon River for purposes related to par-  
 5 cel D.

6 (f) ADDITIONAL TERM AND CONDITIONS.—The Sec-  
 7 retary may require such additional terms and conditions  
 8 in connection with the conveyance under subsection (a) as  
 9 the Secretary considers appropriate to protect the inter-  
 10 ests of the United States.

11 **SEC. 104. LAND CONVEYANCE, DESIGNATED BLM LAND TO**  
 12 **CITY OF MACKAY, IDAHO.**

13 (a) CONVEYANCE REQUIRED.—The Secretary of the  
 14 Interior, acting through the Director of the Bureau of  
 15 Land Management, shall convey, without consideration, to  
 16 the City of Mackay, Idaho (in this section referred to as  
 17 the “City”), all right, title, and interest of the United  
 18 States in and to a parcel of Bureau of Land Management  
 19 land, including roads thereon, identified as parcel D on  
 20 the map entitled “Custer County and City of Mackay Con-  
 21 veyances” and dated September 13, 2006.

22 (b) AUTHORIZED USES.—The land to be conveyed  
 23 under subsection (a) may be used only for public purposes.

24 (c) SURVEY.—The exact acreage and legal descrip-  
 25 tion of the land to be conveyed under subsection (a) shall



1 be determined by a survey satisfactory to the Secretary.

2 The cost of the survey shall be borne by the Secretary.

3 (d) ROAD ACCESS.—In making the conveyance under  
4 subsection (a) to the City, the Secretary shall include a  
5 deed restriction requiring that the roads referred to in  
6 such subsection shall remain open to the public to provide  
7 access to adjacent Federal land and private property.

8 (e) ADDITIONAL TERM AND CONDITIONS.—The Sec-  
9 retary may require such additional terms and conditions  
10 in connection with the conveyance under subsection (a) as  
11 the Secretary considers appropriate to protect the inter-  
12 ests of the United States.

13 **SEC. 105. LAND CONVEYANCE, DESIGNATED BLM LAND TO**  
14 **CITY OF CHALLIS, IDAHO.**

15 (a) CONVEYANCE REQUIRED.—The Secretary of the  
16 Interior, acting through the Director of the Bureau of  
17 Land Management, shall convey, without consideration, to  
18 the City of Challis, Idaho (in this section referred to as  
19 the “City”), all right, title, and interest of the United  
20 States in and to parcels of Bureau of Land Management  
21 land, including roads thereon, identified as parcels B and  
22 E on the map entitled “Custer County and City of Challis  
23 Conveyances” and dated September 13, 2006.

24 (b) AUTHORIZED USES.—The land to be conveyed  
25 under subsection (a) may be used only for public purposes.

1 (c) SURVEY.—The exact acreage and legal descrip-  
2 tion of the land to be conveyed under subsection (a) shall  
3 be determined by a survey satisfactory to the Secretary.  
4 The cost of the survey shall be borne by the Secretary.

5 (d) ROAD ACCESS.—In making the conveyance under  
6 subsection (a) to the City, the Secretary shall include a  
7 deed restriction requiring that the roads referred to in  
8 such subsection shall remain open to the public to provide  
9 access to adjacent Federal land and private property.

10 (e) ADDITIONAL TERM AND CONDITIONS.—The Sec-  
11 retary may require such additional terms and conditions  
12 in connection with the conveyance under subsection (a) as  
13 the Secretary considers appropriate to protect the inter-  
14 ests of the United States.

15 **SEC. 106. LAND CONVEYANCE, DESIGNATED BLM LAND TO**  
16 **CUSTER COUNTY, IDAHO.**

17 (a) CONVEYANCE REQUIRED.—The Secretary of the  
18 Interior, acting through the Director of the Bureau of  
19 Land Management, shall convey, without consideration, to  
20 the Custer County, Idaho (in this section referred to as  
21 the “County”), all right, title, and interest of the United  
22 States in and to parcels of Bureau of Land Management  
23 land, including roads thereon, identified as follows:

1           (1) Parcels A, C, D, and F on the map entitled  
2           “Custer County and City of Challis Conveyances”  
3           and dated September 13, 2006.

4           (2) Parcels A, B, C, E, and F on the map enti-  
5           tled “Custer County and City of Mackay Convey-  
6           ances” and dated September 13, 2006.

7           (b) AUTHORIZED USES.—The land to be conveyed  
8           under subsection (a) may be used only for public purposes.

9           (c) SURVEY.—The exact acreage and legal descrip-  
10          tion of the land to be conveyed under subsection (a) shall  
11          be determined by a survey satisfactory to the Secretary.  
12          The cost of the survey shall be borne by the Secretary.

13          (d) ROAD ACCESS.—In making the conveyance under  
14          subsection (a) to the County, the Secretary shall include  
15          a deed restriction requiring that the roads referred to in  
16          such subsection shall remain open to the public to provide  
17          access to adjacent Federal land and private property.

18          (e) TERM AND CONDITIONS.—The Secretary may re-  
19          quire such additional terms and conditions in connection  
20          with the conveyance under subsection (a) as the Secretary  
21          considers appropriate to protect the interests of the  
22          United States.

1 **SEC. 107. LAND CONVEYANCE AUTHORITY, SUPPORT FOR**  
2 **MOTORIZED AND BICYCLE RECREATION,**  
3 **PUBLIC LAND IN IDAHO.**

4 (a) **MOTORIZED RECREATION PARK.**—Subject to  
5 subsection (b), the Secretary of the Interior shall convey,  
6 without consideration, to the State of Idaho (in this sec-  
7 tion referred to as the “State”) all right, title, and interest  
8 of the United States in and to a parcel or parcels of Bu-  
9 reau of Land Management land, including roads thereon,  
10 consisting of approximately 1000 acres near Boise, Idaho,  
11 and identified for conveyance under this section on the  
12 map entitled “STATE OF IDAHO—Boise Motorized  
13 Park Conveyance” and dated November 1, 2006, for the  
14 purpose of permitting the State to establish a motorized  
15 recreation park on the land. As a condition of the convey-  
16 ance of the land, the State shall agree to include a begin-  
17 ner track as part of the recreation park to be used to teach  
18 safe, responsible riding techniques and to establish areas  
19 for riders with different levels of skills.

20 (b) **RESERVATION OF PORTION FOR MOUNTAIN BIKE**  
21 **USE.**—As a condition of the conveyance of the land under  
22 subsection (a), the State shall reserve 20 acres of the con-  
23 veyed land for the use of mountain bikes.

24 (c) **SURVEY.**—The exact acreage and legal descrip-  
25 tion of the land to be conveyed under this section shall

1 be determined by a survey satisfactory to the Secretary.

2 The cost of the survey shall be borne by the State.

3 (d) ROAD ACCESS.—In making a conveyance under  
4 subsection (a) to the State, the Secretary shall include a  
5 deed restriction requiring that the roads referred to in  
6 such subsection shall remain open to the public to provide  
7 access to adjacent Federal land and private property.

8 (e) ADDITIONAL TERM AND CONDITIONS.—The Sec-  
9 retary concerned may require such additional terms and  
10 conditions in connection with the conveyance under this  
11 section as the Secretary considers appropriate to protect  
12 the interests of the United States.

13 **SEC. 108. TREATMENT OF EXISTING ROADS AND TRAILS.**

14 In making the conveyances required by this title, the  
15 Secretary of Agriculture and the Secretary of the Interior  
16 shall include deed restrictions to ensure that any roads  
17 and trails located on the conveyed land remain open to  
18 public use notwithstanding any subsequent conveyance of  
19 the land by the recipient of the land.

20 **SEC. 109. STANLEY-REDFISH LAKE BIKE AND SNOWMOBILE**  
21 **TRAIL AND RELATED PARKING LOT.**

22 (a) DEVELOPMENT OF TRAIL.—The Secretary of Ag-  
23 riculture shall design, construct, and maintain a hardened  
24 surface trail between the City of Stanley, Idaho, and  
25 Redfish Lake that is designated for use—

1           (1) by pedestrians and non-motorized vehicles  
2           generally; and

3           (2) as a snowmobile route when there is ade-  
4           quate snow cover.

5           (b) ACQUISITION FROM WILLING SELLERS.—Any  
6 land or interests in land to be acquired by the Secretary  
7 for construction of the paved trail required by subsection  
8 (a) shall be acquired only by donation or by purchase from  
9 willing sellers.

10          (c) ASSISTANCE FOR CONSTRUCTION OF PARKING  
11 LOT.—The Secretary may make a grant to the City of  
12 Stanley, Idaho, to assist the City in constructing a parking  
13 lot on City property at the north end of the trail required  
14 by subsection (a) for use for snowmobile and general park-  
15 ing and for other purposes related to the trail.

16          (d) ASSISTANCE FOR CONSTRUCTION OF COMMUNITY  
17 AMPHITHEATER.—The Secretary may make a grant to  
18 the City of Stanley, Idaho to assist the City in con-  
19 structing a community amphitheater.

20          (e) AUTHORIZATION OF APPROPRIATIONS.—

21           (1) IN GENERAL.—There is authorized to be  
22           appropriated to the Secretary—

23                   (A) \$400,000 for the design, construction,  
24                   and maintenance of the trail required by sub-

1 section (a) and for land acquisition associated  
2 with the construction of the trail;

3 (B) \$100,000 for the grant under sub-  
4 section (c); and

5 (C) \$200,000 for the grant under sub-  
6 section (d).

7 (2) AVAILABILITY.—Amounts appropriated pur-  
8 suant to the authorization of appropriations con-  
9 tained in paragraph (1) shall remain available until  
10 expended.

11 **SEC. 110. SUPPORT FOR OUTFITTER AND GUIDE ACTIVI-**  
12 **TIES.**

13 (a) EXISTING OPERATING PERMITS.—

14 (1) EXTENSION.—Before the end of the one-  
15 year period beginning on the date of the enactment  
16 of this Act, the Secretary of Agriculture and the  
17 Secretary of the Interior shall grant a 10-year exten-  
18 sion for each guide or outfitter operating permit in  
19 effect as of the date of the enactment of this Act  
20 that authorizes activities on lands included in a wil-  
21 derness area designated by title II or covered by sec-  
22 tion 301. The Secretary concerned may require the  
23 modification of the extended permit as necessary to  
24 comply with the requirements of this Act.

1           (2) EXCEPTION.—The Secretary of Agriculture  
 2           or the Secretary of the Interior may refuse to grant  
 3           the extension of a permit under paragraph (1) only  
 4           if the Secretary concerned determines that the per-  
 5           mittee has not operated in a satisfactory manner in  
 6           compliance with the terms and conditions of the per-  
 7           mit.

8           (b) FUTURE OUTFITTER AND GUIDE ACTIVITIES.—  
 9           Future extensions of outfitter and guide activities and per-  
 10          mits for outfitters on lands included in a wilderness area  
 11          designated by title II or lands provided for in title III shall  
 12          be administered in accordance with applicable Federal  
 13          laws and resource management plans. No person shall  
 14          conduct outfitter and guide activities on such Federal land  
 15          except as authorized by the Secretary concerned.

16       **SEC. 111. GRANTS TO SUPPORT SUSTAINABLE ECONOMIC**  
 17               **DEVELOPMENT AND RECREATION.**

18          (a) GRANT TO CUSTER COUNTY, IDAHO.—

19               (1) GRANT REQUIRED.—The Secretary of Agri-  
 20               culture shall make a grant of \$3,000,000 to Custer  
 21               County, Idaho, for the purpose of assisting the  
 22               County in supporting sustainable economic develop-  
 23               ment or for other purposes in the County.

24               (2) OFFSET.—



1 (A) ESTIMATED PAYMENTS; INTEREST ON  
 2 AMOUNT OF UNDERPAYMENT.—Section 111(j)  
 3 of the Federal Oil and Gas Royalty Manage-  
 4 ment Act of 1982 (30 U.S.C. 1721(j)) is  
 5 amended by striking “If the estimated payment  
 6 exceeds the actual royalties due, interest is  
 7 owed on the overpayment.”.

8 (B) OVERPAYMENTS.—Section 111 of the  
 9 Federal Oil and Gas Royalty Management Act  
 10 of 1982 (30 U.S.C. 1721) is amended by strik-  
 11 ing subsections (h) and (i).

12 (C) EFFECTIVE DATE.—The amendments  
 13 made by this paragraph shall take effect one  
 14 year after the date of enactment of this Act.

15 (b) ADDITIONAL GRANT TO CUSTER COUNTY,  
 16 IDAHO.—In addition to the grant required by subsection  
 17 (a), the Secretary of Agriculture and the Secretary of En-  
 18 ergy may make grants to Custer County, Idaho, for the  
 19 purpose of assisting the County in supporting sustainable  
 20 economic development or for other purposes in the County.

21 (c) GRANT TO STATE OF IDAHO.—The Secretary of  
 22 Agriculture may make a grant to the State of Idaho Parks  
 23 and Recreation Department for the purpose of assisting  
 24 the State in acquiring and developing Bayhorse Camp-  
 25 ground for use as a State park.

1 (d) AUTHORIZATION OF APPROPRIATIONS.—There is  
2 authorized to be appropriated to the Secretary of Agri-  
3 culture—

4 (1) \$5,100,000 to make grants under sub-  
5 section (b); and

6 (2) \$500,000 to make the grant under sub-  
7 section (c).

8 **TITLE II—CENTRAL IDAHO**  
9 **WILDERNESS AREAS**

10 **SEC. 201. ADDITIONS TO NATIONAL WILDERNESS PRESER-**  
11 **VATION SYSTEM.**

12 (a) ADDITIONS.—Congress has determined that the  
13 following lands in central Idaho shall be designated as wil-  
14 derness and managed as components of the National Wil-  
15 derness Preservation System:

16 (1) HEMINGWAY-BOULDERS WILDERNESS.—  
17 Certain Federal land in the Sawtooth and Challis  
18 National Forests, comprising approximately 110,438  
19 acres, as generally depicted on the map entitled  
20 “Hemingway-Boulders Proposed Wilderness” and  
21 dated October 20, 2008, which shall be known as  
22 the “Hemingway-Boulders Wilderness”.

23 (2) WHITE CLOUDS WILDERNESS.—Certain  
24 Federal land in the Sawtooth and Challis National  
25 Forests, comprising approximately 76,657 acres, as

1 generally depicted on the map entitled “White  
2 Clouds Proposed Wilderness” and dated October 20,  
3 2008, which shall be known as the “White Clouds  
4 Wilderness”.

5 (3) JERRY PEAK WILDERNESS.—Certain Fed-  
6 eral land in the Challis National Forest and Challis  
7 District of the Bureau of Land Management, com-  
8 prising approximately 131,670 acres, as generally  
9 depicted on the map entitled “Jerry Peak Wilder-  
10 ness” and dated August 30, 2006, which shall be  
11 known as the “Jerry Peak Wilderness”. In the case  
12 of the Bureau of Land Management land designated  
13 as wilderness by this paragraph, the land is included  
14 in the National Landscape Conservation System.

15 (b) MAPS AND LEGAL DESCRIPTION.—

16 (1) IN GENERAL.—As soon as practicable after  
17 the date of enactment of this Act, the Secretary of  
18 Agriculture, in the case of the wilderness areas des-  
19 ignated by paragraphs (1) and (2) of subsection (a)  
20 and the National Forest System land designated as  
21 wilderness by paragraph (3) of such subsection, and  
22 the Secretary of the Interior, in the case of the Bu-  
23 reau of Land Management land designated as wil-  
24 derness by paragraph (3) of such subsection, in this  
25 title referred to as the “Secretary concerned”, shall

1 file a map and legal description of the wilderness  
2 areas designated by such subsection with the Com-  
3 mittee on Resources of the House of Representatives  
4 and the Committee on Energy and Natural Re-  
5 sources of the Senate.

6 (2) EFFECT.—Each map and legal description  
7 shall have the same force and effect as if included  
8 in this title, except that the Secretary concerned  
9 may correct clerical and typographical errors in the  
10 map or legal description.

11 (3) AVAILABILITY.—Each map and legal de-  
12 scription shall be on file and available for public in-  
13 spection in the appropriate offices of the Bureau of  
14 Land Management or the Forest Service.

15 (c) WITHDRAWAL.—Subject to valid existing rights,  
16 the wilderness areas designated in subsection (a) are with-  
17 drawn from all forms of entry, appropriation, and disposal  
18 under the public land laws, location, entry, and patent  
19 under the mining laws, and operation of the mineral leas-  
20 ing, mineral materials, and geothermal leasing laws.

21 **SEC. 202. GENERAL ADMINISTRATION OF WILDERNESS**  
22 **AREAS.**

23 (a) APPLICATION OF WILDERNESS ACT.—Subject to  
24 valid existing rights, the wilderness areas designated by  
25 section 201 shall be managed by the Secretary concerned

1 in accordance with the Wilderness Act (16 U.S.C. 1131  
2 et seq.) and this title. With respect to the wilderness areas,  
3 any reference in the Wilderness Act to the effective date  
4 of the Wilderness Act shall be deemed to be a reference  
5 to the date of the enactment of this Act, and any reference  
6 in the Wilderness Act to the Secretary of Agriculture shall  
7 be deemed to be a reference to the Secretary concerned.

8 (b) CONSISTENT INTERPRETATION TO THE PUB-  
9 LIC.—Although the wilderness areas designated by section  
10 201 consist of National Forest System land under the ju-  
11 risdiction of the Secretary of Agriculture and public land  
12 under the jurisdiction of the Secretary of the Interior, the  
13 Secretary of Agriculture and the Secretary of the Interior  
14 shall collaborate to assure that the wilderness areas are  
15 interpreted to the public as an overall complex tied to-  
16 gether by common location in the Boulder-White Cloud  
17 Mountains and common identity with the natural and cul-  
18 tural history of the State of Idaho and its Native Amer-  
19 ican and pioneer heritage.

20 (c) COMPREHENSIVE WILDERNESS MANAGEMENT  
21 PLAN.—Not later than three years after the date of the  
22 enactment of this Act, the Secretary of Agriculture and  
23 Secretary of the Interior shall collaborate to develop a  
24 comprehensive wilderness management plan for the wil-  
25 derness areas designated by section 201. The completed

1 management plan shall be submitted to the Committee on  
2 Resources of the House of Representatives and the Com-  
3 mittee on Energy and Natural Resources of the Senate.

4 (d) FIRE, INSECTS, AND DISEASES.—Within the wil-  
5 derness area designated by section 201, the Secretary con-  
6 cerned may take such measures as the Secretary con-  
7 cerned determines to be necessary for the control of fire,  
8 insects, and diseases in accordance with—

9 (1) section 4(d)(1) of the Wilderness Act (16  
10 U.S.C. 1133(d)(1)); and

11 (2) House Report No. 98–40 of the 98th Con-  
12 gress.

13 (e) WILDERNESS TRAILS AND TRAILHEADS.—

14 (1) CONSTRUCTION OF NEW TRAILHEAD.—The  
15 Secretary concerned shall construct a new trailhead  
16 for nonmotorized users and improve access to the  
17 Big Boulder Trailhead to separate motorized users  
18 from nonmotorized users.

19 (2) INCLUSION OF ACCESSIBLE TRAIL.—The  
20 Secretary concerned shall upgrade the first mile of  
21 the Murdock Creek Trail in the Hemingway-Boul-  
22 ders wilderness area designated by section 201 to a  
23 primitive, non-paved, and wheelchair accessible  
24 standard.

1       (f) TREATMENT OF EXISTING CLAIMS AND PRIVATE  
2 LANDS.—Nothing in this title is intended to affect the  
3 rights or interests in real property, patented mining  
4 claims, or valid claims or prevent reasonable access to pri-  
5 vate property or for the development and use of valid min-  
6 eral rights. The Secretary concerned may enter into nego-  
7 tiations with the holder of a patented claim or valid claim  
8 located in a wilderness area designated by section 201 for  
9 the voluntary relinquishment of the claim.

10       (g) GRAZING.—Grazing of livestock in a wilderness  
11 area designated by section 201, where established before  
12 the date of the enactment of this Act, shall be adminis-  
13 tered in accordance with the provisions of section 4(d)(4)  
14 of the Wilderness Act (16 U.S.C. 1133(d)(4)), section 108  
15 of Public Law 96–560, and section 101(f) of Public Law  
16 101–628, and in accordance with the guidelines set forth  
17 in Appendix A of House Report 96–617 of the 96th Con-  
18 gress and House Report 101–405 of the 101st Congress.

19       (h) OUTFITTING AND GUIDE ACTIVITIES.—Con-  
20 sistent with section 4(d)(5) of the Wilderness Act (16  
21 U.S.C. 1133(d)(4)), commercial services (including au-  
22 thorized outfitting and guide activities) are authorized in  
23 wilderness areas designated by section 201 to the extent  
24 necessary for activities that fulfill the recreational or other  
25 wilderness purposes of the areas.

1 **SEC. 203. ACQUISITION OF MINERAL INTERESTS AND**  
2 **LANDS FROM WILLING SELLERS.**

3 (a) ACQUISITION.—Within the boundaries of the wil-  
4 derness areas designated by section 201, the Secretary  
5 concerned may acquire, through purchase from willing  
6 sellers or donation from willing owners, all right, title, and  
7 interest in all mineral interests, claims, and parcels of land  
8 that have been patented on or before January 1, 2002  
9 under the Act of May 10, 1872 (30 U.S.C. 22 et seq.;  
10 commonly known as the Mining Act of 1872).

11 (b) CONSIDERATION.—In exercising the authority  
12 provided by subsection (a) to acquire lands and interests,  
13 the Secretary concerned may offer the owners of record  
14 of each patent, who voluntarily wish to sell up to \$20,000  
15 as compensation for the acquisition of these interests.

16 (c) INCORPORATION IN WILDERNESS AREA.—Any  
17 land or interest in land located inside the boundaries of  
18 a wilderness area designated by section 201 that is ac-  
19 quired by the United States after the date of the enact-  
20 ment of this Act shall be added to and administered as  
21 part of that wilderness area.

22 **SEC. 204. ADJACENT MANAGEMENT.**

23 (a) NO PROTECTIVE PERIMETERS OR BUFFER  
24 ZONES.—Congress does not intend for the designation of  
25 the wilderness areas by section 201 to lead to the creation



1 of protective perimeters or buffer zones around any such  
2 wilderness area.

3 (b) NONWILDERNESS ACTIVITIES.—The fact that  
4 nonwilderness activities or uses outside of a wilderness  
5 area designated by section 201 can be seen or heard from  
6 inside of the wilderness area shall not preclude the conduct  
7 of those activities or uses outside the boundaries of the  
8 wilderness area.

9 **SEC. 205. WATER RIGHTS.**

10 (a) FINDINGS.—Congress finds the following:

11 (1) The lands designated as wilderness areas by  
12 section 201 are located at the headwaters of the  
13 streams and rivers on those lands, with few, if any,  
14 actual or proposed water resource facilities located  
15 upstream from such lands and few, if any, opportu-  
16 nities for diversion, storage, or other uses of water  
17 occurring outside such lands that would adversely  
18 affect the wilderness values of such lands.

19 (2) The lands designated as wilderness areas by  
20 section 201 are not suitable for use for development  
21 of new water resource facilities or for the expansion  
22 of existing facilities.

23 (3) Therefore, it is possible to provide for prop-  
24 er management and protection of the wilderness  
25 value of the lands designated as wilderness areas by

1 section 201 in ways different from the ways utilized  
2 in other laws designating wilderness areas.

3 (b) PURPOSE.—The purpose of this section is to pro-  
4 tect the wilderness values of the lands designated as wil-  
5 derness areas by section 201 by means other than a feder-  
6 ally reserved water right.

7 (c) STATUTORY CONSTRUCTION.—Nothing in this  
8 title—

9 (1) shall constitute, or be construed to con-  
10 stitute, either an express or implied reservation by  
11 the United States of any water or water rights with  
12 respect to the wilderness areas designated by section  
13 201;

14 (2) shall affect any water rights in the State of  
15 Idaho existing on the date of the enactment of this  
16 Act, including any water rights held by the United  
17 States;

18 (3) shall be construed as establishing a prece-  
19 dent with regard to any future wilderness designa-  
20 tions;

21 (4) shall be construed as limiting, altering,  
22 modifying, or amending any of the interstate com-  
23 pacts or equitable apportionment decrees that appor-  
24 tion water among and between the State of Idaho  
25 and other States; and

1           (5) shall be construed as limiting, altering,  
2       modifying, or amending provisions of Public Law  
3       92–400, which established the Sawtooth National  
4       Recreation Area (16 U.S.C. 460aa et seq.).

5       (d) IDAHO WATER LAW.—The Secretary concerned  
6       shall follow the procedural and substantive requirements  
7       of the law of the State of Idaho when seeking to establish  
8       any water rights, not in existence on the date of the enact-  
9       ment of this Act, with respect to the wilderness areas des-  
10      ignated by section 201.

11      (e) NEW PROJECTS.—

12           (1) PROHIBITION.—Except as otherwise pro-  
13      vided in this Act, on and after the date of the enact-  
14      ment of this Act, neither the President nor any  
15      other officer, employee, or agent of the United  
16      States shall fund, assist, authorize, or issue a license  
17      or permit for the development of any new water re-  
18      source facility inside any of the wilderness areas des-  
19      ignated by section 201.

20           (2) DEFINITION.—In this subsection, the term  
21      “water resource facility” means irrigation and  
22      pumping facilities, reservoirs, water conservation  
23      works, aqueducts, canals, ditches, pipelines, wells,  
24      hydropower projects, and transmission and other an-

1 cillary facilities, and other water diversion, storage,  
2 and carriage structures.

3 **SEC. 206. WILDLIFE MANAGEMENT.**

4 (a) STATE JURISDICTION.—In accordance with sec-  
5 tion 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)),  
6 nothing in this title affects or diminishes the jurisdiction  
7 of the State of Idaho with respect to fish and wildlife man-  
8 agement, including the regulation of hunting, fishing, and  
9 trapping, in the wilderness areas designated by section  
10 201.

11 (b) MANAGEMENT ACTIVITIES.—In furtherance of  
12 the purposes and principles of the Wilderness Act, man-  
13 agement activities to maintain or restore fish and wildlife  
14 populations and the habitats to support such populations  
15 may be carried out within wilderness areas designated by  
16 section 201 where consistent with relevant wilderness  
17 management plans, in accordance with appropriate poli-  
18 cies such as those set forth in Appendix B of House Re-  
19 port 101–405 of the 101st Congress, including the occa-  
20 sional and temporary use of motorized vehicles, if such  
21 use, as determined by the Secretary concerned would pro-  
22 mote healthy, viable, and more naturally distributed wild-  
23 life populations that would enhance wilderness values and  
24 accomplish those purposes using the minimum tool nec-  
25 essary to reasonably accomplish the task.

1       (c) USE OF AIRCRAFT.—Consistent with section  
2 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)) and  
3 in accordance with appropriate policies such as those set  
4 forth in Appendix B of House Report 101–405 of the  
5 101st Congress, the State of Idaho may continue to use  
6 aircraft, including helicopters, to survey, capture, trans-  
7 plant, monitor, and manage elk, deer, bighorn sheep,  
8 mountain goats, wolves, grizzly bears, and other wildlife  
9 and fish.

10       (d) HUNTING, FISHING, AND TRAPPING.—Nothing in  
11 this title shall affect hunting, fishing, and trapping, under  
12 applicable State and Federal laws and regulations, in the  
13 wilderness areas designated by section 201. The Secretary  
14 concerned may designate, by regulation in consultation  
15 with the appropriate State agency (except in emergencies),  
16 areas in which, and establish periods during which, for  
17 reasons of public safety, administration, or compliance  
18 with applicable laws, no hunting, fishing, or trapping will  
19 be permitted in the wilderness areas.

20 **SEC. 207. NATIVE AMERICAN CULTURAL AND RELIGIOUS**  
21 **USES.**

22       Nothing in this title shall be construed to diminish  
23 the rights of any Indian tribe. Nothing in this title shall  
24 be construed to diminish tribal rights regarding access to

1 Federal lands for tribal activities, including spiritual, cul-  
2 tural, and traditional food-gathering activities.

3 **SEC. 208. MILITARY OVERFLIGHTS.**

4 Nothing in this title restricts or precludes—

5 (1) low-level overflights of military aircraft over  
6 the wilderness areas designated by section 201, in-  
7 cluding military overflights that can be seen or  
8 heard within the wilderness areas;

9 (2) flight testing and evaluation; or

10 (3) the designation or creation of new units of  
11 special use airspace, or the establishment of military  
12 flight training routes, over the wilderness areas.

13 **SEC. 209. WILDERNESS REVIEW.**

14 (a) NATIONAL FORESTS.—Section 5 of Public Law  
15 92–400 (16 U.S.C. 460aa–4), which required a review of  
16 the undeveloped and unimproved portion or portions of the  
17 Sawtooth National Recreation Area established by that  
18 Act as to suitability or nonsuitability for preservation as  
19 part of the National Wilderness Preservation System, is  
20 repealed.

21 (b) PUBLIC LANDS.—

22 (1) FINDING.—Congress finds that, for the pur-  
23 pose of section 603 of the Federal Land Policy and  
24 Management Act of 1976 (43 U.S.C. 1782), the  
25 public land administered by the Bureau of Land

1 Management in the following areas have been ade-  
2 quately studied for wilderness designation:

3 (A) The Jerry Peak Wilderness Study  
4 Area.

5 (B) The Jerry Peak West Wilderness  
6 Study Area.

7 (C) The Corral-Horse Basin Wilderness  
8 Study Area.

9 (D) The Boulder Creek Wilderness Study  
10 Area.

11 (2) RELEASE.—Any public land described in  
12 paragraph (1) that is not designated as wilderness  
13 by this title—

14 (A) is no longer subject to section 603(c)  
15 of the Federal Land Policy and Management  
16 Act of 1976 (43 U.S.C. 1782(c)); and

17 (B) shall be managed in accordance with  
18 land management plans adopted under section  
19 202 of that Act (43 U.S.C. 1712).

# **TITLE III—GENERAL PROVISIONS**

## **SEC. 301. MANAGEMENT OF NON-WILDERNESS LANDS IN CHALLIS AND SAWTOOTH NATIONAL FORESTS, SAWTOOTH NATIONAL RECREATION AREA, AND CHALLIS BUREAU OF LAND MANAGEMENT DISTRICT.**

(a) COVERED LANDS AND SPECIAL MANAGEMENT REQUIREMENTS.—Lands in the Challis National Forest, the Sawtooth National Forest, the Sawtooth National Recreation Area, and the Challis District of the Bureau of Land Management that lie within the perimeter of the boundary shown on the map entitled “Boulder White Clouds Travel Plan” and dated October 20, 2008, and which are not designated as wilderness by section 201 or previous laws, shall be administered in accordance with this section and the laws and regulations generally applicable to the National Forest System and the Bureau of Land Management, respectively.

(b) EFFECT ON GRAZING.—Nothing in this section shall be construed to prohibit, or change the administration of, the grazing of livestock within the area described in subsection (a).

(c) TRAVEL PLAN FOR BLM LANDS.—



1           (1) PLAN REQUIRED.—Not later than three  
2       years after the date of the enactment of this Act, the  
3       Secretary of the Interior shall develop and imple-  
4       ment a travel plan for the lands within the Challis  
5       District of the Bureau of Land Management in-  
6       cluded within the area described in subsection (a).

7           (2) ELEMENTS.—The travel plan shall be devel-  
8       oped in accordance with the laws and regulations  
9       generally applicable to the existing management plan  
10      for the Challis District of the Bureau of Land Man-  
11      agement. Motorized and bicycle travel authorized in  
12      the travel plan shall be managed in accordance with  
13      the plan and laws and regulations generally applica-  
14      ble to the public lands, and not as otherwise pro-  
15      vided for in this section. The Secretary of the Inte-  
16      rior shall include a map as part of the travel plan.

17      (d) MOTORIZED TRAVEL.—Motorized travel shall be  
18      permitted on National Forest System lands included with-  
19      in the area described in subsection (a) only on those estab-  
20      lished trails, routes, and snowmobile areas in existence as  
21      of September 1, 2003, on which such travel was permitted  
22      as of such date, except that other trails and routes may  
23      be used where necessary for administrative purposes or  
24      to respond to an emergency. No later than one year after  
25      the date of enactment of this Act, the Secretary of Agri-

1 culture shall identify such routes and trails and shall pre-  
 2 pare and make available to the public a map showing such  
 3 routes and trails. Nothing in this subsection shall be con-  
 4 strued as precluding the Secretary from closing any trail  
 5 or route from use for purposes of resource protection or  
 6 public safety.

7 (e) ROAD CLOSURES; WINTER EXCEPTIONS.—The  
 8 following roads or trails shall be closed to motorized and  
 9 mechanized trail use, except when there is adequate  
 10 snowcover to permit snowmobile use:

11 (1) Forest Service Trail 109 between the Phyl-  
 12 lis Lake turnoff to 4th of July Lake and the south  
 13 side of Washington Lake.

14 (2) Forest Service Trail 671 up Warm Springs  
 15 Creek from Trail 104 to the wilderness boundary.

16 (f) PROHIBITION ON NEW ROADS AND TRAILS; EX-  
 17 CEPTIONS.—No new roads or trails shall be established  
 18 on National Forest System lands included in the area de-  
 19 scribed in subsection (a), except those which the Secretary  
 20 of Agriculture shall establish as follows:

21 (1) Roads and trails established by the Sec-  
 22 retary of Agriculture to replace roads or trails of the  
 23 same character and scope which have become non-  
 24 serviceable through reasons other than nonuse.

1           (2) Nonpermanent roads established by the Sec-  
2       retary of Agriculture as needed for hazardous fuels  
3       reduction or other control of fire, insect or disease  
4       control projects, or other management purposes.

5           (3) A trail between the Phyllis Lake Road  
6       (USFS Road #053) and Phyllis Lake, which shall  
7       be primitive and non-paved, but wheelchair acces-  
8       sible, and open only to nonmotorized travel.

9           (4) The primitive and nonpaved, but wheelchair  
10      accessible, trail along Murdock Creek in the Hem-  
11      ingway-Boulders wilderness area required by section  
12      202(e)(2).

13          (5) The Big Wood Backcountry Trail System  
14      required by section 302.

15      (g) TRAIL MAINTENANCE.—

16          (1) AUTHORIZATION OF APPROPRIATIONS.—

17      There is authorized to be appropriated to the Sec-  
18      retary of Agriculture and the Secretary of the Inte-  
19      rior \$650,000 for trail construction and maintenance  
20      and for other improvements related to outfitting,  
21      guiding, hiking, and horseback use within the lands  
22      designated as wilderness in title II and Federal  
23      lands within the area described in subsection (a).  
24      Amounts appropriated pursuant to this authoriza-

1       tion of appropriations shall remain available until  
2       expended.

3           (2) SET-ASIDE.—Of the amounts appropriated  
4       pursuant to the authorization of appropriations in  
5       paragraph (1), \$150,000 shall be available for the  
6       construction of the trails provided for in paragraphs  
7       (3) and (4) of subsection (f).

8       (h) SPECIAL RULES FOR SPAR CANYON, HERD  
9       LAKE, AND ROAD CREEK ROUTES.—Notwithstanding the  
10      status of any other road or trail under this section, motor-  
11      ized and bicycle travel shall continue to be allowed on the  
12      Spar Canyon, Herd Lake, and Road Creek routes in the  
13      described in subsection (a).

14      **SEC. 302. BIG WOOD BACKCOUNTRY TRAIL SYSTEM STUDY**  
15                                      **AND AUTHORIZATION.**

16       (a) STUDY.—Not later than three years after funds  
17      are first made available for this purpose, the Secretary  
18      of Agriculture, in consultation with interested parties,  
19      shall complete a study of the suitability and feasibility of  
20      establishing the Big Wood Backcountry Trail system for  
21      mechanized and other nonmotorized recreation on a lower  
22      portion of the Rip and Tear Trail inside the Sawtooth Na-  
23      tional Recreation Area, as shown on a map entitled “Ga-  
24      lena Trails Planning Area”.

1 (b) ESTABLISHMENT.—If the results of the study re-  
2 quired by subsection (a) indicate that establishment of  
3 such trails would be suitable and feasible, the Secretary  
4 of Agriculture shall establish the trail system in a manner  
5 consistent with the purposes of section 301.

6 **SEC. 303. SUPPORT AND USE OF IDAHO OFF ROAD MOTOR**  
7 **VEHICLE PROGRAM.**

8 (a) GRANT TO PROGRAM.—There is authorized to be  
9 appropriated to the Secretary of Agriculture not more  
10 than \$1,000,000, which shall be used by the Secretary to  
11 make a grant to the State of Idaho in the full amount  
12 so appropriated for deposit with the Off Road Motor Vehi-  
13 cle Program of the Idaho Department of State Parks and  
14 Recreation, which is used to support the improvement, re-  
15 pair, maintenance, furnishing, and equipping of off-road  
16 motor vehicle facilities and sites, to groom snowmobile  
17 trails, and for enforcement activities and the rehabilitation  
18 of land damaged by off-road vehicle users. As a condition  
19 of the grant, the State must maintain the grant funds as  
20 a separate account of the Off Road Motor Vehicle Pro-  
21 gram and may not use the funds except as provided by  
22 this section.

23 (b) USE OF GRANT FUNDS.—If the Secretary of Ag-  
24 riculture determines that additional funds are required to  
25 carry out the activities described in subsection (a) in the

1 perimeter of the area described in section 301(a), the Sec-  
2 retary may apply for funds from the Off Road Motor Vehi-  
3 cle Program. Funds received under this subsection shall  
4 be used only in the Challis National Forest, the Sawtooth  
5 National Forest, the Sawtooth National Recreation Area,  
6 or the Challis District of the Bureau of Land Management  
7 or in connection with the Boise motorized recreation park  
8 authorized by section 107.

9 (c) CONSULTATION AND RECOMMENDATIONS.—Be-  
10 fore funds are provided under subsection (b), the Off Road  
11 Motor Vehicle Program shall consider any recommenda-  
12 tions regarding the use of the funds made by the advisory  
13 committee established as part of the program as well as  
14 public comments.

15 (d) RELATION TO OTHER LAWS.—Any action under-  
16 taken using funds obtained under subsection (b) shall con-  
17 form to the applicable travel plan of the Challis National  
18 Forest, the Sawtooth National Forest, the Sawtooth Na-  
19 tional Recreation Area, or the Challis District of the Bu-  
20 reau of Land Management.

21 **SEC. 304. MANAGEMENT OF RAILROAD RIDGE AREA, SAW-**  
22 **TOOTH NATIONAL FOREST.**

23 (a) FINDINGS.—Congress finds the following:

1           (1) The Railroad Ridge area of the Sawtooth  
2       National Forest is host to several extremely rare and  
3       sensitive plant species.

4           (2) The area supports some of the most unique  
5       and well-developed alpine plant communities in  
6       Idaho, and is more botanically diverse than most al-  
7       pine communities in North America.

8           (3) The area is currently closed to off road  
9       cross-country motorized travel.

10       (b) ENHANCED AWARENESS AND CONSERVATION.—  
11   There is authorized to be appropriated to the Secretary  
12   of Agriculture \$50,000 for the development of educational  
13   materials and signage to raise the awareness of users of  
14   the Railroad Ridge area of the uniqueness of the area and  
15   to promote the conservation of the area.

16   **SEC. 305. LIVESTOCK GRAZING.**

17       (a) CONTINUATION OF GRAZING.—With respect to  
18   the lands designated as wilderness in section 201 or in-  
19   cluded in the area described in section 301(a), the grazing  
20   of livestock in areas in which grazing is established as of  
21   the date of enactment of this Act shall be allowed to con-  
22   tinue, subject to such reasonable regulations, policies, and  
23   practices as the Secretary of Agriculture or the Secretary  
24   of the Interior, as the case may be, considers necessary.  
25   Grazing of livestock in wilderness shall be consistent with

1 section 4(d)(4) of the Wilderness Act (16 U.S.C.  
2 1133(d)(4)) and the guidelines described in Appendix A  
3 of House Report 101–405.

4 (b) INVENTORY.—Not later than one year after the  
5 date of enactment of this Act, the Secretary of Agriculture  
6 and the Secretary of the Interior shall conduct an inven-  
7 tory of existing facilities and improvements associated  
8 with grazing activities on the lands designated as wilder-  
9 ness in section 201 or included in the area described in  
10 section 301(a).

11 (c) FENCING.—The Secretary of Agriculture or the  
12 Secretary of the Interior may construct and maintain fenc-  
13 ing around wilderness areas designated by section 201 and  
14 under the jurisdiction of that Secretary as the Secretary  
15 determines to be appropriate to enhance wilderness values.

16 (d) DONATION OF GRAZING PERMITS OR LEASES.—

17 (1) ACCEPTANCE BY SECRETARY.—The Sec-  
18 retary of Agriculture or the Secretary of the Interior  
19 shall accept the donation of any valid existing per-  
20 mits or leases authorizing grazing on public land, all  
21 or a portion of which is within a wilderness area des-  
22 ignated by section 201 or in the area described in  
23 section 301(a).



1           (2) TERMINATION.—With respect to each per-  
2       mit or lease donated under paragraph (1), the Sec-  
3       retary receiving the donation shall—

4                   (A) terminate the grazing permit or lease;  
5       and

6                   (B) except as provided in paragraph (3),  
7       ensure a permanent end to grazing on the land  
8       covered by the permit or lease.

9       (3) COMMON ALLOTMENTS.—

10                   (A) IN GENERAL.—If the land covered by  
11       a permit or lease donated under paragraph (1)  
12       is also covered by another valid existing permit  
13       or lease that is not donated under paragraph  
14       (1), the Secretary receiving the donation shall  
15       reduce the authorized grazing level on the land  
16       covered by the permit or lease to reflect the do-  
17       nation of the permit or lease under paragraph  
18       (1).

19                   (B) AUTHORIZED LEVEL.—To ensure that  
20       there is a permanent reduction in the level of  
21       grazing on the land covered by a permit or  
22       lease donated under paragraph (1), the Sec-  
23       retary of Agriculture and the Secretary of the  
24       Interior shall not allow grazing use to exceed

1 the authorized level established under subpara-  
2 graph (A).

3 (4) PARTIAL DONATION.—

4 (A) IN GENERAL.—If a person holding a  
5 valid grazing permit or lease donates less than  
6 the full amount of grazing use authorized under  
7 the permit or lease, the Secretary receiving the  
8 donation shall—

9 (i) reduce the authorized grazing level  
10 to reflect the donation; and

11 (ii) modify the permit or lease to re-  
12 flect the revised level of use.

13 (B) AUTHORIZED LEVEL.—To ensure that  
14 there is a permanent reduction in the author-  
15 ized level of grazing on the land covered by a  
16 permit or lease donated under subparagraph  
17 (A), the Secretary of Agriculture and the Sec-  
18 retary of the Interior shall not allow grazing  
19 use to exceed the authorized level established  
20 under that subparagraph.

21 **SEC. 306. LAND ACQUISITION AUTHORITY.**

22 (a) LAND ACQUISITION.—The Secretary of Agri-  
23 culture and the Secretary of the Interior may acquire, by  
24 donation or purchase from willing sellers, lands and inter-  
25 ests in lands—

1           (1) located inside the boundaries of the area de-  
2       scribed in section 301(a); or

3           (2) located adjacent to the area to provide ease-  
4       ments for additional public access to the area.

5       (b) LIMITATION ON USE OF CONDEMNATION.—No  
6       lands or interests in lands may be acquired by condemna-  
7       tion for inclusion in the area or to provide access to the  
8       area, except as provided for by Public Law 92–400 (16  
9       U.S.C. 460aa et seq.) and regulations, in effect as of the  
10      date of the enactment of this Act, for the use of private  
11      land in the Sawtooth National Recreation Area (sections  
12      36 292.14–292.16 of title 36, Code of Federal Regula-  
13      tions).

14      (c) AUTHORIZATION OF APPROPRIATIONS.—There is  
15      authorized to be appropriated not more than \$5,000,000  
16      to carry out this section. Amounts appropriated pursuant  
17      to this authorization of appropriations shall remain avail-  
18      able until expended.

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